

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK
BROOKLYN DIVISION

IN RE

CHAPTER 13

ANTHONY KERR

CASE NO. 1-23-42356-nhl

JUDGE: Nancy Hershey Lord

DEBTOR

OBJECTION TO CONFIRMATION

Shari Barak, Esq., an attorney admitted to practice in this Court, affirms the following under penalty of perjury:

1. I am a managing attorney with LOGS Legal Group LLP, attorney for JPMorgan Chase Bank, National Association, (“Secured Creditor”) and am familiar with the facts and circumstances surrounding this matter.

2. Secured Creditor holds a mortgage on the Debtor’s real property known as 937 East 55th Street, Brooklyn, NY 11234 (the “Property”).

3. JPMorgan Chase Bank, N.A. will be filing a Proof of Claim for pre-petition mortgage arrears in the approximate amount of \$272,929.92. Debtor’s proposed Chapter 13 Plan makes no provision for full payment of the mortgage arrears in violation of Bankruptcy Code Section 1325(a)(5)(B)(ii).

4. The plan does not provide for the making of the regular monthly note and mortgage payments by Debtor as required by 11 U.S.C. § 1322 (b)(5).

5. The plan is not adequately funded. The plan does not contain funds sufficient to pay Secured Creditor’s pre-petition arrearages in full as required by 11 U.S.C. § 1325 (a)(5)(B)(ii).

_/s/Shari Barak

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CERTIFICATE OF SERVICE

The undersigned certifies that on _August 30, 2023, a copy of Objection to Confirmation was caused to be deposited in an enclosed, properly addressed post-paid envelope, and served by ordinary U.S. Mail, postage prepaid, and/or electronically upon the following:

Debtor Appearing Pro Se
Anthony Kerr
937 East 55th Street
Brooklyn, NY 11234

Trustee
Krista M Preuss
Office of the Chapter 13 Trustee
info@ch13edny.com

Dated: August 29, 2023

_/s/Shari Barak

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